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Rules, Regulations, Orders

TITLE 9—ANIMALS AND ANIMAL PRODUCTS AGRICULTURAL MARKETING SERVICE

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

OCTOBER 26, 1939.

To ALLIANCE LIVESTOCK COMMISSION COMPANY, INC., *Alliance, Nebr.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C., Sec. 202 (b)), it has been ascertained by me that the stockyard known as the Alliance Livestock Commission Company, at Alliance, State of Nebraska, is subject to the provisions of said Act.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U.S.C. Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-3959; Filed, October 26, 1939; 12:34 p. m.]

NOTICE UNDER PACKERS AND STOCKYARDS ACT¹

OCTOBER 26, 1939.

To TOM ORMESHER and JOE TOBIN, *Doing business as Chadron Sales Company, Chadron, Nebr.*

Notice is hereby given that after inquiry, as provided by Section 302 (b) of the Packers and Stockyards Act, 1921 (7 U.S.C., Sec. 202 (b)), it has been ascertained by me that the stockyard known as the Chadron Sales Company, at Chadron, State of Nebraska, is subject to the provisions of said Act.

¹ Modified list posted stockyards, 9 CFR 204.1.

The attention of stockyard owners, market agencies, dealers, and other persons concerned is directed to Sections 303 and 306 (7 U.S.C., Secs. 203 and 207) and other pertinent provisions of said Act and the rules and regulations issued thereunder by the Secretary of Agriculture.

[SEAL] HARRY L. BROWN,
Acting Secretary of Agriculture.

[F. R. Doc. 39-3958; Filed, October 26, 1939; 12:34 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

CHAPTER VIII—PROCUREMENT AND DISPOSAL OF EQUIPMENT AND SUPPLIES

PART 84—LOANS OR TRANSFERS OF EQUIPMENT¹

Loan or Transfer to Educational Institutions and Museums of Obsolete or Unserviceable Aeronautical Equipment

§ 84.16 *Definitions of institutions authorized to receive property*—(a) *Museum.* An institution housing a collection of works of art, of nature, or of the sciences, open to the public and not operating for profit.

(b) *Properly accredited schools, colleges, and universities.* (1) Trade schools not operated for profit.

(2) High schools, preparatory schools, academies, colleges, and universities, shown on lists of accredited higher institutions and secondary schools, published by the Department of the Interior. (45 Stat. 753; 20 U.S.C. 94) [Par. 2, A.R. 35-6610, Sept. 14, 1939]

§ 84.17 *Eligibility of institutions requesting loans.* In case of doubt as to the eligibility of any institution submitting a request for a loan or transfer of property, further information as to the standing of the institution may be demanded before making a decision. (45 Stat. 753; 20 U.S.C. 94) [Par. 3, A.R. 35-6610, Sept. 14, 1939]

¹ Sections 84.16-84.20, Chapter VIII, Title 10, Code of Federal Regulations are superseded and sections 84.21-84.23 are added.

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§ 84.18 Classes of property that may be loaned or transferred. (a) In conformity with the Act of May 26, 1928 (45 Stat. 753; 20 U.S.C. 94), the Chief of the Air Corps is authorized to approve loans of the following Air Corps equipment, when available, as prescribed in section 84.19, paragraph (a):

(1) Aircraft or engines that have been declared obsolete or have become impaired to the extent that repair would not be economical.

(2) Aircraft parts or instruments that have been declared obsolete or have become impaired to the extent that repair would not be economical.

(b) Transfers as distinguished from loans, in conformity with the Act of May 26, 1928, will be approved by the Secretary of War in each instance and will, except in cases of special importance, be confined to the class of property indicated in (a) (2) above. (45 Stat. 753; 20 U.S.C. 94) [Par. 4, A.R. 35-6610, Sept. 14, 1939]

§ 84.19 Procedure; conditions governing loans and transfers. (a) From time to time the Chief of the Air Corps will submit to the Secretary of War lists of aircraft, aircraft parts, instruments, or engines that have become obsolete or impaired to the extent that repair would not be economical and the loan or transfer of which is deemed advantageous under the provisions of the law. Upon approval of these lists the property so listed will be held available for loan or transfer as contemplated herein. The Chief of the Air Corps is authorized to remove from the list at any time such articles as in his opinion should no longer be carried thereon.

(b) In general, the property under consideration will be loaned subject to

recall. When considered desirable, however, and such action is specifically approved by the Secretary of War, a transfer of such property may be made.

(c) In the case of all loans, the registrar or corresponding official of the institution concerned will sign for the property (see section 84.20, paragraph (d)) and will report annually to the Chief of the Matériel Division, Air Corps, on December 31, the quantity and condition of property loaned. Any changes in quantity or condition will be reported when such changes occur, with information as to the cause thereof.

(d) Records of all loans and transfers will be maintained by the Chief of the Matériel Division, Air Corps. See section 84.20.

(e) The cost of packing, handling, transportation, etc., for delivery to and return from institutions, and other expenses incidental to the loan or transfer of such property, must be borne by the institutions concerned. The expenses necessary for delivery of property to an institution, except transportation, will be paid in advance to the Chief of the Matériel Division, Air Corps, who will, before issuing shipping instructions, also obtain from the registrar or corresponding official of the institution receiving the property written authorization designating the Air Corps shipping officer as the agent for the institution in making the shipment. The shipment will then be forwarded on commercial bills of lading with transportation charges collect.

(f) A statement by the executive or corresponding official of the institution that none of the equipment will be used in actual flying will be required as a condition precedent to the loan or transfer of property. (45 Stat. 753; 20 U.S.C. 94) [Par. 5, A.R. 35-6610, Sept. 14, 1939]

§ 84.20 Accounting for property loaned or transferred. (a) Accountability for property loaned will continue while it is in the custody of the institution to which loaned. This accountability will be carried on a stock record account maintained by the Chief of the Matériel Division, Air Corps, and the property will be held on memorandum receipts by the institutions. Should property so loaned become lost, destroyed, or unfit for further use a report of survey will be initiated by the Chief of the Matériel Division with an affidavit from the responsible official of the institution, setting forth all facts relating to the loss, destruction, or unserviceability, as an exhibit thereto. In such cases, if the value of the property or its residue does not warrant the cost of inspection and disposal by the Government, the surveying officer may recommend that the property be abandoned. Upon final approval of the report of survey, the property will be dropped from accountable records.

(b) Accountability for property transferred, as contemplated in section 84.19,

paragraph (b), will terminate when the transfer is effected.

(c) Shipping tickets covering issues of obsolete and unserviceable Air Corps equipment under the provisions of these regulations will be conspicuously marked to show whether the articles listed thereon are "transferred" or "loaned."

(d) (1) In the case of loans, seven copies of the shipping tickets will be prepared by the accountable officer shipping the property, and distributed as follows:

Two copies to the institution to which the property is shipped. The shipping officer will place a notation on one of the copies, requesting that it be signed by the proper official of the institution upon receipt of the property and forwarded to the Chief of the Matériel Division, Air Corps, Wright Field, Dayton, Ohio.

Two copies to the Chief of the Matériel Division, Air Corps, Wright Field, Dayton, Ohio.

Two copies to the Finance Officer, Fifth Corps Area.

One copy filed as a temporary voucher to the stock record account pending return of receipted copy.

(2) In the case of transfers, shipping tickets will be made out in quadruplicate by the accountable officer shipping the property, and distributed as follows:

Two copies to the institution to which the property is shipped. The shipping officer will place a notation on one of the copies, requesting that it be signed by the proper official of the institution upon receipt of the property and returned to the shipping officer.

One copy to the finance officer of the corps area in which the shipping officer is located, for auditing purposes.

One copy filed as a temporary voucher to the stock record account pending return of receipted copy. (45 Stat. 753; 20 U.S.C. 94) [Par. 6, A.R. 35-6610, Sept. 14, 1939]

Donation to Schools of Machinery, Mechanical Equipment, and Tools No Longer Needed by the Army

§ 84.21 Classes of machinery, mechanical equipment, and tools authorized for donation. The following classes of property of the kinds described in the Act of February 28, 1936 (49 Stat. 1147; 10 U.S.C. 1258), may be donated:

(a) Property declared surplus which is not otherwise needed by the War Department.

(b) Property formally declared unserviceable, and property declared obsolete, which is normally assigned to "salvage" and subsequently sold as "salvage".

(c) Property declared unserviceable or obsolete and designated to be sold after the requirements of other executive departments and bureaus have been satisfied. (45 Stat. 753; 20 U.S.C. 94) [Par. 9, A.R. 35-6610, Sept. 14, 1939]

§ 84.22 *Procedure.* Upon receipt of an application from a school for the donation of property for use in courses of vocational training and instruction, the Chief of Ordnance or the Chief of the Air Corps will ascertain the character of the school, the proposed uses of the property, and the need thereof. If he deems the school worthy, he will endeavor to satisfy its needs from property under his control. (45 Stat. 753; 20 U.S.C. 94) [Par. 10, A.R. 35-6610, Sept. 14, 1939]

§ 84.23 *Donations to be without expense to the Government.* Donations of property under these regulations will be without expense to the Government for packing, handling, and transportation. (45 Stat. 753; 20 U.S.C. 94) [Par. 12, A.R. 35-6610, Sept. 14, 1939]

[SEAL]

E. S. ADAMS,
Major General,
The Adjutant General.

[F. R. Doc. 39-3948; Filed, October 26, 1939;
9:36 a m.]

TITLE 31—MONEY AND FINANCE: TREASURY

ACCOUNTS AND DEPOSITS

[1939—Department Circular 570 Rev.]

SUBTITLE B—REGULATIONS RELATING TO MONEY AND FINANCE

PART 226—SURETY COMPANIES

Corporations Acceptable as Sureties on Federal Bonds

October 24, 1939.

The following is a list of companies as of October 18, 1939 holding certificates of authority from the Secretary of the Treasury, issued under the Acts of Congress of August 13, 1894 (28 Stat. 279), and March 23, 1910 (36 Stat. 241), (U.S.C.), Title 6, Sections 6 to 12 (inclusive), as acceptable sureties on Federal bonds; this list also includes acceptable reinsurance companies under Department Circular No. 297, dated July 5, 1922, as amended. Further details including the amount of underwriting limitation of each company, as well as the extent and localities with respect to which they are acceptable as sureties on Federal bonds may be found at any time by reference to the current issue of Treasury Department Form 356, copies of which may be procured from the Treasury Department, Section of Surety Bonds, Washington, D. C.

Names of Companies, Locations of Principal Executive Offices and States in Which Incorporated

CALIFORNIA

1. Associated Indemnity Corporation, San Francisco.
2. Fireman's Fund Indemnity Co., San Francisco.
3. National Automobile Insurance Co., Los Angeles.

4. Occidental Indemnity Co., San Francisco.

5. Pacific Indemnity Co., Los Angeles.

CONNECTICUT

6. The Aetna Casualty and Surety Co., Hartford.

7. The Century Indemnity Co., Hartford.

8. Hartford Accident and Indemnity Co., Hartford.

DELAWARE

9. Melbank Surety Corporation, Pittsburgh, Pa.

10. Saint Paul-Mercury Indemnity Co., St. Paul, Minn.

ILLINOIS

11. American Motorists Insurance Co., Chicago.

12. Lumbermens Mutual Casualty Co., Chicago.

INDIANA

13. Continental Casualty Co., Chicago, Ill.

14. Inland Bonding Co., South Bend.

KANSAS

15. The Kansas Bankers Surety Co., Topeka.

16. The Western Casualty and Surety Co., Fort Scott.

MARYLAND

17. American Bonding Company of Baltimore.

18. Fidelity and Deposit Co. of Maryland, Baltimore.

19. Maryland Casualty Company, Baltimore.

20. United States Fidelity and Guaranty Co., Baltimore.

MASSACHUSETTS

21. American Employers' Insurance Co., Boston.

22. Massachusetts Bonding and Insurance Co., Boston.

MICHIGAN

23. National Casualty Co., Detroit.

24. Standard Accident Insurance Co., Detroit.

MISSOURI

25. Central Surety and Insurance Corporation, Kansas City.

26. Employers Reinsurance Corporation, Kansas City.

NEW HAMPSHIRE

27. Peerless Casualty Company, Keene.

NEW JERSEY

28. Commercial Casualty Insurance Company, Newark.

29. The Excess Insurance Co. of America, New York, N. Y.

30. International Fidelity Insurance Co., Jersey City.

NEW YORK

31. American Re-Insurance Co., New York.

32. American Surety Co. of New York.

33. Columbia Casualty Co., New York.

34. Eagle Indemnity Co., New York.

35. The Fidelity and Casualty Co. of New York.

36. General Reinsurance Corporation, New York.

37. Glens Falls Indemnity Co., Glens Falls.

38. Globe Indemnity Co., New York.

39. Great American Indemnity Co., New York.

40. The Home Indemnity Co., New York.

41. London & Lancashire Indemnity Co. of America, Hartford, Conn.

42. Merchants Indemnity Corporation of New York.

43. The Metropolitan Casualty Insurance Co. of New York, Newark, N. J.

44. National Surety Corporation, New York.

45. New Amsterdam Casualty Co., Baltimore, Md.

46. New York Casualty Co., New York.

47. Phoenix Indemnity Co., New York.

48. The Preferred Accident Insurance Co. of New York.

49. Royal Indemnity Co., New York.

50. Seaboard Surety Co., New York.

51. Standard Surety and Casualty Co. of New York.

52. Sun Indemnity Co. of New York.

53. United States Casualty Co., New York.

54. United States Guarantee Co., New York.

55. The Yorkshire Indemnity Co. of New York.

OHIO

56. The Ohio Casualty Insurance Co., Hamilton.

PENNSYLVANIA

57. Eureka Casualty Co., Philadelphia.

58. Indemnity Insurance Co. of North America, Philadelphia.

59. Manufacturers' Casualty Insurance Co., Philadelphia.

60. Mellon Indemnity Corporation, Pittsburgh.

SOUTH DAKOTA

61. Western Surety Co., Sioux Falls.

TEXAS

62. American General Insurance Co., Houston.

63. American Indemnity Co., Galveston.

64. Commercial Standard Insurance Co., Fort Worth.

65. Employers Casualty Co., Dallas.

66. Texas Indemnity Insurance Co., Galveston.

67. Trinity Universal Insurance Co., Dallas.

VIRGINIA

68. Virginia Surety Co., Inc., Roanoke.

WASHINGTON

69. General Casualty Co. of America, Seattle.

70. Northwest Casualty Co., Seattle.

71. United Pacific Insurance Co., Seattle.

Foreign Companies Authorized to do a Reinsurance Business Only

72. Accident and Casualty Insurance Co. of Winterthur, Switzerland (U. S. Office, New York, N. Y.).

73. The Employers' Liability Assurance Corp., Ltd., London, England (U. S. Office, Boston, Mass.).

74. The European General Reinsurance Co., Ltd., London, England (U. S. Office, New York, N. Y.).

75. The Guarantee Co. of North America, Montreal, Canada (U. S. Office, New York, N. Y.).

76. London Guarantee and Accident Co., Ltd., London, England (U. S. Office, New York, N. Y.).

77. The Ocean Accident and Guarantee Corp., Ltd., London, England (U. S. Office, New York, N. Y.).

[SEAL] JOHN W. HANES,
Acting Secretary of the Treasury.

[F. R. Doc. 39-3956; Filed, October 26, 1939;
10:50 a. m.]

TITLE 43—PUBLIC LANDS

GENERAL LAND OFFICE

STOCK DRIVEWAY WITHDRAWAL No. 2,
COLORADO No. 2, ENLARGED

OCTOBER 13, 1939.

It appearing that the following-described public lands should be included in Stock Driveway Withdrawal No. 2, Colorado No. 2, it is ordered, under and pursuant to the provisions of section 7 of the act of June 28, 1934, 48 Stat. 1269, as amended by the act of June 26, 1936, 49 Stat. 1976, and section 10 of the act of December 29, 1916, 39 Stat. 862, as amended by the act of January 29, 1929, 45 Stat. 1144, that such lands, excepting any mineral deposits therein, be, and they are hereby, withdrawn from all disposal under the public-lands laws and reserved for the use of the general public as an addition to such driveway reservation, subject to valid existing rights:

New Mexico Principal Meridian

T. 38 N., R. 6 E.,
sec. 1, E½;
T. 39 N., R. 6 E.,
sec. 12, NW¼NE¼, S½NE¼, NW¼, S½,
secs. 13, 24 and 25, all;
T. 37 N., R. 7 E.,
secs. 4, 9, 10, 15, 22, 27 and 34, all,
sec. 35, W½E½, W½;
T. 38 N., R. 7 E.,
sec. 17, W½W½, SE¼SW¼,
sec. 18, E½, N½NW¼,
sec. 19, E½,
secs. 20 and 21, all,
sec. 28, W½NE¼, NW¼,
sec. 33, S½N½, S½;
T. 39 N., R. 7 E.,
sec. 30, SW¼,
sec. 31, W½;
aggregating 11,206.24 acres.

Any mineral deposits in the lands shall be subject to location and entry only in the manner prescribed by the Secretary of the Interior in accordance with the provisions of the aforesaid act of January 29, 1929, and existing regulations.

JOHN W. FINCH,
Acting Assistant Secretary
of the Interior.

[F. R. Doc. 39-3949; Filed, October 26, 1939;
9:36 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bituminous Coal Division.

[Docket No. 566-FD]

IN THE MATTER OF THE APPLICATION OF H. F. SCHULTZ FOR EXEMPTION

ORDER OF DISMISSAL

An application, pursuant to Section 4-A of the Bituminous Coal Act of 1937, having been filed with the Bituminous Coal Division by the above-named party; and

It appearing, upon investigation, that such applicant is no longer engaged in the business of mining coal;

It is ordered, That the application for exemption filed by the applicant herein be and the same is hereby dismissed.

Dated: October 26, 1939.

[SEAL] H. A. GRAY,
Director.

[F. R. Doc. 39-3957; Filed, October 26, 1939;
11:41 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

NOTICE OF CANCELATION OF A SPECIAL CERTIFICATE FOR THE EMPLOYMENT OF LEARNERS IN THE HOSIERY INDUSTRY

Whereas a hearing has been held upon notice to show cause why Special Certificate No. 333 issued September 17, 1939, to the Douglas Silk Products Company at Douglas, Georgia, pursuant to the provisions of the Certificate and of Regulations Part 522—Regulations Applicable to the Employment of Learners Pursuant to Section 14 of the Fair Labor Standards Act should not be canceled;

Whereas it has been found that the issuance of said Special Certificate was not necessary in order to prevent curtailment of opportunities for employment,

Now, therefore, it is ordered that:

Special Certificate No. 333 is hereby canceled as of this date pursuant to Section 4 of such Certificate and Regulations Part 522. This order shall become effective upon publication in the FEDERAL REGISTER.

Signed at Washington, D. C., this 24th day of October 1939.

MERLE D. VINCENT,
Chief, Hearings and
Exemptions Section.

[F. R. Doc. 39-3960; Filed, October 26, 1939;
12:52 p. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that Special Certificates for the employment of

learners in the Apparel Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued ex parte under Section 14 of the said Act, Section 522.5 (d) of Regulations Part 522, as amended, to the employers listed below effective October 27, 1939, until October 24, 1940, subject to the following terms:

OCCUPATIONS, WAGE RATES, AND CONDITIONS

The employment of learners in the Apparel Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

(1) A learner is a person who has had less than eight weeks experience in the past three years upon a stitching operation in the Apparel Industry.

(2) The employment of learners under these Certificates is limited to the operation of stitching machines and for eight (8) weeks for any one learner. During this period, learners shall be paid at least 22½¢ per hour. If experienced workers are paid on a piece rate basis, the same piece rates shall be paid to the learners employed on similar work and they shall receive earnings on such piece rates if in excess of 22½¢ per hour, but in no case less than 22½¢ per hour.

(3) These Special Certificates are issued on representations by the employers that experienced stitching machine operators are not available.

(4) Any one of these Special Certificates shall be canceled as of the date of its issue if found that experienced workers were available when the Certificate was issued, and shall be canceled prospectively or as of the date of violation if found that any of its terms have been violated or that skilled workers have become available.

(5) Under these Special Certificates, no learner shall be employed at a sub-minimum wage until and unless the Certificate is posted and kept posted in a conspicuous place in the plant in which learners are employed.

NUMBER OF LEARNERS

Not in excess of 5% of the total number of stitching machine operators employed in the plant may be employed under any of these Certificates, unless otherwise indicated hereinbelow opposite the employer's name:

NAME AND ADDRESS OF FIRM

Chaffee Manufacturing Co., Chaffee, Missouri (5 learners).
Consolidated Garment Mfg. Co., Gallion, Ohio (3 learners).
J. Freezer & Son, Inc., Floyd, Virginia.
J. Freezer & Son, Inc., Rural Retreat, Virginia.
J. Freezer & Son, Inc., West Radford, Virginia.
Galena Glove & Mitten Co., 430 Garfield Avenue, Dubuque, Iowa.

Great Western Garment Company, 501 Travis Street, Wichita Falls, Texas.
Grinchuck Company, Jerry, Braidwood, Illinois (5 learners).

Hercules Trouser Company, The, 570 South Front Street, Columbus, Ohio.

Hollinger Shirt Company, The, Port Chester, New York (5 learners).

Liberty Uniform Company, Poteau, Oklahoma (5 learners).

Manistee Garment Company, Manistee, Michigan.

Marshall Clothing Mfg. Company, Butler, Indiana (5 learners).

Miller & Company, Louis, 9th and Walnut Streets, Wilmington, Delaware.

Morehead City Garment Co., Inc., 1504 Bridges Street, Morehead City, North Carolina.

Par Ex Shirt Company, New Haven, Connecticut.

New Britain Shirt Company, Inc., New Britain, Connecticut (5 learners).

Tanger-Goldberg Co., Inc., Wallingford, Connecticut.

United Shirt & Blouse Co., Inc., 84 Center Street, Shelton, Connecticut (3 learners).

Weber and Sons, 1515 Grand Central, Tampa, Florida (1 learner).

Wener & Son, H., Reedsburg, Wisconsin (5 learners).

Berkshire Undergarment Mfg. Corp., New Britain, Connecticut (5 learners).

Signed at Washington, D. C., this 26th day of October 1939.

MERLE D. VINCENT,
Chief, Hearings and
Exemptions Section.

[F. R. Doc. 39-3961; Filed, October 26, 1939; 12:53 p. m.]

NOTICE OF ISSUANCE OF SPECIAL CERTIFICATES FOR THE EMPLOYMENT OF LEARNERS IN THE APPAREL INDUSTRY

Notice is hereby given that Special Certificates for the employment of learners in the Apparel Industry at hourly wages lower than the minimum wage applicable under Section 6 of the Fair Labor Standards Act of 1938 are issued to the employers listed below effective October 27, 1939, until February 23, 1940, unless otherwise indicated, subject to the following terms and limited to the number of learners indicated opposite the employer's name:

OCCUPATIONS WAGE RATES AND CONDITIONS

The employment of learners in the Apparel Industry under these Certificates is limited to the following occupations, learning periods, and minimum wage rates:

(1) A learner is a person who has had less than eight weeks experience in the past three years upon a stitching operation in the Apparel Industry.

(2) The employment of learners under these Certificates is limited to the operation of stitching machines and for eight (8) weeks for any one learner. During this period, learners shall be paid at least 22½¢ per hour. If experienced workers are paid on a piece rate basis, the same piece rates shall be paid to the learners employed on similar work and they shall receive earnings on such piece rates if in excess of 22½¢ per hour, but in no case less than 22½¢ per hour.

(3) These Special Certificates are issued on representations by the employers that (a) experienced stitching machine operators are not available and (b) that he is actually in need of learners at sub-minimum rates in order to prevent curtailment of opportunities for employment.

(4) Under these Special Certificates, no learner shall be employed at a sub-minimum wage until and unless the Certificate is posted and kept posted in a conspicuous place in the plant in which learners are employed.

(5) These Special Certificates are issued ex parte under Section 14 of the said Act and Section 522.5 (b) of the Regulations, Part 522, as amended. For fifteen days following the publication of this notice, the Administrator will receive detailed written objections as provided for in said Section 522.5 (b). Such Special Certificates, or any of them, may be cancelled as of the date of their issuance and, if so cancelled, reimbursement of all persons employed under such Certificates must be made in an amount equal to the difference between the applicable statutory minimum wage and any lesser wage paid such persons.

NAME AND ADDRESS OF FIRM AND NUMBER OF LEARNERS

Liberty Uniform Company, Poteau, Oklahoma, 10.

H. Wener & Son, Reedsburg, Wisconsin, 30.

Morehead City Garment Company, Inc., Morehead City, North Carolina, 55.

Great Western Garment Company, Wichita Falls, Texas, 45.

Par Ex Shirt Company, New Haven, Connecticut, 23.

Louis Miller & Company, Wilmington, Delaware, 60.

The Hercules Trouser Company, Columbus, Ohio, 50.

The Consolidated Garment Mfg. Company, Gallion, Ohio, 13.

Berkshire Undergarment Mfg. Corp., New Britain, Connecticut, 19.

Signed at Washington, D. C., this 26th day of October 1939.

MERLE D. VINCENT,
Chief, Hearings and
Exemptions Section.

[F. R. Doc. 39-3962; Filed, October 26, 1939; 12:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of October, A. D. 1939.

[File No. 32-171]

IN THE MATTER OF CARIBOU WATER LIGHT AND POWER COMPANY

ORDER APPROVING ISSUE AND SALE OF STOCKS AND BONDS

Caribou Water Light and Power Company, a subsidiary of a registered holding company, having filed an application with this Commission pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 for exemption from the provisions of section 6 (a) of said Act of the issue of 563 shares \$100 par value common stock as a stock dividend, and the issue and sale to John Hancock Mutual Life Insurance Company of applicant's First Mortgage 3½% Bonds, Series A, due in 1964, in the principal amount of \$275,000;

Public hearing on such application, having been duly held after appropriate notice; the record in this matter having been duly considered; and the Commission having filed its findings herein;

It is ordered, That the issue of such stock and the issue and sale of such bonds be and the same hereby is approved, subject, however, to the following conditions:

(1) That such issue and sale of such bonds and the issue of such common stock shall be in compliance with the terms and conditions of and for the purpose represented by said application, as amended, and in compliance with the terms and conditions imposed by the order of the Public Utilities Commission of Maine; and

(2) That such exemption shall immediately terminate without further order of this Commission if at any time the authorization of the issue and sale of said bonds and the issue of said common stock shall be revoked, or shall otherwise terminate; and

(3) That within ten days after the issue and sale of said bonds and the issue of said common stock, the applicant shall file with this Commission its certificate showing that the issue and sale of the bonds and the issue of the common stock have been effected in accordance with the terms and conditions of and for the purposes represented by said application, as amended; and

(4) That when all expenses incurred in connection with these proposed transactions shall have been actually paid,

4 F.R. 3981 DI.

the applicant shall file a detailed statement of such expenses showing the names of persons or entities to whom such payments were made, the amounts of such payments, and a detailed description of the services rendered in connection with the issue and sale of said bonds.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3950; Filed, October 26, 1939;
10:46 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 24th day of October, A. D. 1939.

[File No. 46-178]

IN THE MATTER OF ELECTRIC BOND AND SHARE COMPANY

ORDER APPROVING AMENDED APPLICATION

Electric Bond and Share Company, a registered holding company, having filed an application, and amendments thereto, pursuant to Section 10 (a) (1) of the Public Utility Holding Company Act of 1935, and Rule U-12B-1 promulgated thereunder, with respect to the acquisition of a \$4,400,000 note of and the extension of credit to American & Foreign Power Company Inc., a foreign associate company;

A public hearing having been held on the application, as amended, after appropriate notice;¹ the Commission having considered the record in this matter, and having made and filed its findings and opinion herein;

It is ordered, That the said application, as amended, pursuant to Section 10 (a) (1) and Rule U-12B-1, be, and it hereby is, approved:

And it is further ordered, That the following conditions be imposed upon the applicant:

(a) That the acquisition and the extension of credit involved in the application be carried out in accordance with the terms of and for the purposes set forth in the application, as amended, and the terms of this order;

(b) That the acquisition and extension of credit involved in the application be consummated within 30 days of the date of our order; and

(c) That within 10 days after the consummation of such acquisition and extension of credit, a certificate of notification showing the same to have been effected in accordance with the terms of and for the purposes represented by said

application, as amended, and in accordance with the terms of this order, shall be filed by the applicant with the Commission.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3951; Filed, October 26, 1939;
10:46 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of October 1939.

[File No. 1-141]

IN THE MATTER OF CHICAGO RIVET AND MACHINE COMPANY COMMON STOCK, \$4 PAR VALUE

ORDER GRANTING APPLICATION TO WITHDRAW FROM LISTING AND REGISTRATION

The Chicago Rivet and Machine Company, pursuant to Section 12 (d) of the Securities Exchange Act of 1934, as amended, and Rule X-12D2-1 (b) promulgated thereunder, having made application to withdraw its Common Stock, \$4 Par Value, from listing and registration on the Chicago Stock Exchange; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

It is ordered, That said application be and the same is hereby granted, effective at the close of the trading session on November 4, 1939.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3954; Filed, October 16, 1939;
10:47 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 25th day of October 1939.

[File No. 7-431]

IN THE MATTER OF NATIONAL TOWER CORPORATION, NATIONAL TOWER BUILDING—FIRST MORTGAGE FEE AND LEASEHOLD 20-YEAR SINKING FUND 6½% GOLD BONDS, STAMPED PURSUANT TO PLAN OF REORGANIZATION DATED APRIL 26, 1937

ORDER GRANTING APPLICATION

Continuance of unlisted trading privileges on the New York Real Estate Se-

curities Exchange, Inc. in the National Tower Building 6½% 20-Year First Mortgage and Leasehold Sinking Fund Gold Bonds, due 1944, of National Tower Corporation, having been permitted by action of this Commission on October 1, 1934; and

Said Exchange, pursuant to paragraph (b) of Rule X-12F-2, having applied to this Commission setting forth that there are being effected changes in said security other than those specified in paragraph (a) of said Rule and asking the Commission to determine that said security after said changes is substantially equivalent to the said security heretofore admitted to unlisted trading privileges; and

The Commission having considered the matter;

It is ordered, Pursuant to Section 12 (f) and 23 (a) of the Securities Exchange Act of 1934, as amended, and Rule X-12F-2 (b) promulgated thereunder, that the determination sought by said application is made and the application is hereby granted.

By the Commission.

[SEAL] FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3955; Filed, October 26, 1939;
10:47 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of October, A. D. 1939.

[File No. 1-2229]

IN THE MATTER OF THE REGISTRATION OF THE CALORIZING COMPANY CUMULATIVE CONVERTIBLE PARTICIPATING EIGHT PER CENT PREFERENCE STOCK PAR VALUE \$25

ORDER FOR HEARING AND DESIGNATING OFFICER TO TAKE TESTIMONY

I

It appearing to the Commission:

That The Calorizing Company, a corporation organized under the laws of the State of Delaware, is the issuer of Cumulative Convertible Participating Eight Per Cent Preference Stock, Par Value \$25; and

That said The Calorizing Company registered such security on the Pittsburgh Stock Exchange, a national securities exchange, by filing on or about November 11, 1935, an application on Form 10 with the said Exchange and with the Commission, pursuant to Section 12(b) and (c) of the Securities Exchange Act of 1934, as amended, and

¹ 4 F.R. 4240 DI.

pursuant to Rule X-12B-1, promulgated by the Commission thereunder; and

That Rule X-13A-1, promulgated pursuant to Section 13 of said Securities Exchange Act of 1934, as amended, did and does require that an annual report for each issuer of a security registered on a national securities exchange shall be filed on the appropriate form prescribed therefor; and

That Rule X-13A-2, promulgated pursuant to Section 13 of said Securities Exchange Act of 1934, as amended, did and does prescribe Form 10-K as the annual report form to be used for the annual reports of all corporations except those for which another form is specified and that no other form was or is specified for use by said The Calorizing Company; and

II

The Commission having reasonable grounds to believe:

That The Calorizing Company has failed to comply with the said Section 13 and said Rule X-13A-1 in that it has failed to file its annual report for the year ended April 30, 1939; and

III

It being the opinion of the Commission that the hearing herein ordered to be held is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Securities Exchange Act of 1934, as amended;

It is ordered, Pursuant to Section 19 (a) (2) of said Act, that a public hearing be held to determine whether The Calorizing Company has failed to comply with Section 13 of the Securities Exchange Act of 1934, as amended, the rules, regulations and forms promulgated by the Commission thereunder, in the re-

spects set forth above; and, if so, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months or to withdraw the registration of the Cumulative Convertible Participating Eight Per Cent Preference Stock, Par Value \$25, of said The Calorizing Company on said Pittsburgh Stock Exchange.

It is further ordered, Pursuant to the provisions of Section 21 (b) of the Securities Exchange Act of 1934, as amended, that for the purpose of such hearing Charles S. Moore, an officer of the Commission, is hereby designated to administer oaths and affirmations, subpoena witnesses and compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, or other records deemed relevant or material to the inquiry, and to perform all other duties in connection therewith as authorized by law.

It is further ordered, That the taking of testimony in this hearing begin on the 9th day of November, 1939, at 10:00 A. M. in Room 1103, Securities and Exchange Commission Building, 1778 Pennsylvania Avenue NW., Washington, D. C., and continue thereafter at such time and place as the officer hereinbefore designated may determine.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3952; Filed, October 26, 1939; 10:46 a. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 25th day of October, A. D. 1939.

[File No. 2-4043]

IN THE MATTER OF JOHN W. WESTBROOK,
TRUSTEE

STOP ORDER

This matter coming on to be heard by the Commission on the registration statement of John W. Westbrook, trustee, after confirmed telegraphic notice by the Commission to said registrant that it appears that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and omits to state material facts necessary to make the statements therein not misleading; and

The registrant having stipulated to the facts and consented to the entry of an order; the trial examiner having issued a report finding that said registration statement includes untrue statements of material facts and omits to state material facts required to be stated therein and material facts necessary to make the statements therein not misleading; and

The Commission having duly considered the matter, and finding that the report of the trial examiner is supported by the evidence;

It is ordered, That the findings of the trial examiner shall be adopted by the Commission as its own findings, and such findings shall be made a matter of public record; and

It is further ordered, Pursuant to Section 8 (d) of the Securities Act of 1933, that the effectiveness of the registration statement filed by John W. Westbrook, trustee, be and the same hereby is suspended.

By the Commission.

[SEAL]

FRANCIS P. BRASSOR,
Secretary.

[F. R. Doc. 39-3953; Filed, October 26, 1939; 10:46 a. m.]

